

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JACKSON LEWIS LLP
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(914) 328-0404
Attorneys of Record for Defendants
Michelle E. Phillips, Esq. (MP 4252)
Ian H. Hlawati, Esq. (IH 9084)

JANE A. WILSON,

Plaintiff,

v.

MARYKNOLL FATHERS & BROTHERS; FR. JOHN
BARTH; FR. RICHARD FRIES; ADRIANE GLASS;
FR. JOHN McALEY; FR. FRANCIS McGOURN;
FR. LEO SHEA; and FR. JOHN SIVALON,

Defendants.

07 CV 7058 (KMK)

**PROPOSED DISCOVERY
PLAN PURSUANT TO
RULE 26(f)**

WHEREAS, the Court has ordered a scheduling conference pursuant to Fed. R. Civ. P. 16(b) to be held on Friday, December 7, 2007 at 11:15 a.m.

NOW THEREFORE, the parties jointly submit this report pursuant to Rule 26(f):¹

1. Appearing for the parties at the scheduling conference are:

Walker G. Harman, Jr., Esq.
Attorney at Law
1350 Broadway, Suite 1510
New York, New York 10018
(212) 425-2600
ATTORNEY FOR PLAINTIFF

Michelle E. Phillips, Esq.
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White Plains, New York 10601
(914) 328-0404
ATTORNEYS FOR DEFENDANTS

¹ Due to mutual scheduling conflicts, the parties were unable to meet and confer "at least 21 days before a scheduling conference is held or a scheduling order is due under Rule 16(b)," as required by Fed. R. Civ. P. 26(f), but have conferred prior to the scheduling conference and submit the instant report.

2. Factual Discovery

- (a) Plaintiff and Defendants Maryknoll Fathers & Brothers (incorrectly named in this action as "Maryknoll Fathers & Brothers" and correctly named "Catholic Foreign Mission Society of America, Inc."); Fr. John Barth; Fr. Richard Fries; Adriane Glass; Fr. John McAuley; Fr. Francis McGourn; Fr. Leo Shea; and Fr. John Sivalon (hereinafter "Defendants") will exchange Rule 26(a)(1) Initial Disclosures relating to the claims in the Complaint filed August 8, 2007 no later than December 17, 2007.
- (b) The Plaintiff and Defendants shall serve initial document requests and interrogatories no later than Friday, December 21, 2007.
- (c) Responses to initial document requests and interrogatories propounded shall be served no later than thirty (30) days from the service of said discovery, unless otherwise agreed to by counsel for the parties.
- (d) All factual discovery shall be completed by June 30, 2008.

3. Joinder and New Causes of Action

- (a) Motions to join new parties or state new causes of action are not contemplated, but in no case shall be completed later than Tuesday, January 15, 2008.

4. Dispositive Motions

- (a) Any dispositive motions shall be filed no later than Friday, September 12, 2008.
- (b) Any papers in opposition thereto shall be filed by Friday, October 10, 2008.
- (c) Any reply papers shall be filed by Friday, November 7, 2008.


5. Expert Discovery

- (a) The Plaintiff shall identify any experts she plans to use at trial and supply a report no later than twenty days (20) after the date of the Court's decision on all dispositive motions.
- (b) The Defendants shall identify any experts they plan to use at trial and supply a report by such expert no later than thirty (30) days after Plaintiff identifies any experts and supplies reports or, in the event that Plaintiff does not do so, twenty days (20) after the date that Plaintiff advises Defendants that she will not be using any experts at trial.

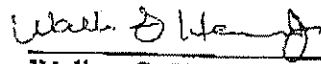
- (c) All expert discovery shall be completed no later than thirty (30) days after Defendants identify any experts and supply reports.
6. Final Pretrial Conference: The parties request the Court to schedule a final pretrial conference at a date and time mutually convenient for the Court and counsel for the parties.
7. All of the preceding deadlines except the dates for the completion of all factual and expert discovery and the date for the filing of dispositive motions may be changed by the parties by mutual consent, provided that any such changes do not require a change in the dates for the completion of all factual and expert discovery and the date for the filing of dispositive motions, which changes shall require leave of Court.

Respectfully submitted,

JACKSON LEWIS LLP


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Ian H. Hlawati, Esq. (IH 9084)
One North Broadway, Suite 1500
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ATTORNEYS FOR DEFENDANTS

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(212) 425-2600
ATTORNEY FOR PLAINTIFF

DATED: December 4, 2007
White Plains, New York

SO ORDERED:

KENNETH M. KARAS
United States District Judge

Dated: _____